

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA  
PHILADELPHIA DIVISION**

JONATHAN PRICE,	)	
	)	
Plaintiff,	)	Case No.:
	)	
vs.	)	PLAINTIFF'S COMPLAINT
	)	AND DEMAND FOR JURY TRIAL
COMMERCIAL RECOVERY SYSTEMS, INC.,	)	
	)	
Defendant.	)	

**VERIFIED COMPLAINT**

JONATHAN PRICE, ("Plaintiff"), through the undersigned counsel, ALEX SIMANOVSKY & ASSOCIATES, LLC, alleges the following against COMMERCIAL RECOVERY SYSTEMS, INC., ("Defendant"):

**INTRODUCTION**

1. Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 et seq. (FDCPA).

**JURISDICTION AND VENUE**

2. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy."

3. Defendant conducts business in the state of PENNSYLVANIA, and therefore, personal jurisdiction is established.

4. Venue is proper pursuant to 28 U.S.C. 1391(b)(1).

5. Declaratory relief is available pursuant to 28 U.S.C. 2201 and 2202.

**PARTIES**

6. Plaintiff is a natural person residing in Philadelphia, PA.

7. Plaintiff is a consumer as that term is defined by 15 U.S.C. 1692a(3), and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by 15 U.S.C. 1692a(5).

8. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6), and sought to collect a consumer debt from Plaintiff.

9. Defendant is a national company, with its corporate office located at: Commercial Recovery Systems, Inc., 8035 East R.L. Thornton Freeway, Suite 220, Dallas, TX 75228.

10. Defendant, in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection.

**FACTUAL ALLEGATIONS**

**A. DEBT**

11. Plaintiff incurred a financial obligation in the approximate amount of \$7,043.28 (the “Debt”) to Main Street Acquisition Co. (the “Creditor”).

12. The Debt arose from services allegedly provided by the Creditor which were primarily for family, personal or household purposes and which meets the definition of a “debt” under 15 U.S.C. §1692a(5).

13. The Debt was purchased, assigned or transferred to Commercial Recovery Systems, Inc. for collection, or Commercial Recovery Systems, Inc. was employed by the Creditor to collect the Debt.

14. The Defendant attempted to collect the Debt and, as such, engaged in

“communications” as defined in 15 U.S.C. §1692a(2).

**B. HARASSMENT AND ABUSIVE TACTICS**

15. Defendant constantly and continuously places collection calls to Plaintiff seeking and demanding payment for the alleged debt.

16. Defendant calls Plaintiff from a blocked number seeking and demanding payment for the alleged debt.

17. Defendant sent validation giving 800-214-7801 as a valid number.

18. Defendant has caused Plaintiff’s personal phone to ring and has engaged Plaintiff in telephone conversations repeatedly.

19. Defendant began calling on or about August 20, 2012.

20. Defendant contacted Plaintiff’s son, a third party, and disclosed the existence and nature of a debt.

21. Defendant threatened legal action for failure to pay the alleged debt.

**COUNT I**  
**DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

22. Defendant violated the FDCPA based on the following:

- a.) Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which is to harass, oppress, or abuse the Plaintiff in connection with the collection of a debt.
- b.) Defendant violated §1692d(5) of the FDCPA by causing a telephone to ring repeatedly and continuously with the intent to annoy, abuse, and harass Plaintiff.
- c.) Defendant violated §1692b(1) of the FDCPA by contacting persons other

than Plaintiff and failing to identify him/herself and failing to state the he/she is confirming or correcting location information concerning Plaintiff.

WHEREFORE, Plaintiff, JONATHAN PRICE, respectfully requests judgment be entered against Defendant, COMMERCIAL RECOVERY SYSTEMS, INC., for the following:

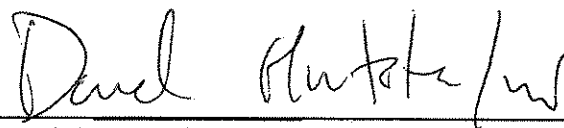
- a. Declaratory judgment that Defendant's conduct violated the Fair Debt Collection Practices Act,
- b. Statutory damages pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k,
- c. Actual damages,
- d. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k
- e. Any other relief that this Honorable Court deems appropriate.

**[SIGNATURE APPEARS ON FOLLOWING PAGE]**

**DEMAND FOR JURY TRIAL**

PLEASE TAKE NOTICE that Plaintiff, JONATHAN PRICE, demands a jury trial in this case.

RESPECTFULLY SUBMITTED. Dated: October 4, 2012.

A handwritten signature in black ink, appearing to read "Daniel Hartstein / w", is written over a horizontal line.

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